

PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/714,243        |
| Filing Date            | November 13, 2003 |
| First Named Inventor   | Bomy Chen         |
| Art Unit               | 2818              |
| Examiner Name          | Dao H. Nguyen     |
| Attorney Docket Number | 351913-992740     |

**ENCLOSURES (Check all that apply)**

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form (+ copy)<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/ <u>Reply</u><br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> <input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> <input type="checkbox"/> Landscape Table on CD<br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> Remarks | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> OTHER: Postcard |
|---|--|---|

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                                    |          |        |
|--------------|------------------------------------|----------|--------|
| Firm Name    | DLA PIPER RUDNICK GRAY CARY US LLP |          |        |
| Signature    |                                    |          |        |
| Printed name | Ronald L. Yin                      |          |        |
| Date         | November 10, 2005                  | Reg. No. | 27,607 |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |              |      |                   |
|-----------------------|--------------|------|-------------------|
| Signature             |              |      |                   |
| Typed or printed name | Susan Pingue | Date | November 11, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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|  |  |                          |                   |
|--|--|--------------------------|-------------------|
| Effective on 12/08/2004.<br>Fees paid under the Consolidated Appropriations Act, 2005 (H.R. 4818).<br><b>FEE TRANSMITTAL</b><br><b>for FY 2005</b> |  | <b>Complete If Known</b> |                   |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27   |  | Application Number       | 10/714,243        |
|  |  | Filing Date              | November 13, 2003 |
|  |  | First Named Inventor     | Bomy Chen         |
|  |  | Examiner Name            | Dao H. Nguyen     |
|  |  | Art Unit                 | 2818              |
| <b>TOTAL AMOUNT OF PAYMENT</b>   |  | Attorney Docket No.      | 351913-992740     |
| <b>(\$)</b> 180.00   |  |                          |                   |

**METHOD OF PAYMENT (check all that apply)**

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 07-1896 Deposit Account Name: **DLA Piper Rudnick Gray Cary US LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  
☐ Charge fee(s) indicated below, except for the filing fee  
☒ Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES  |          | SEARCH FEES  |          | EXAMINATION FEES |          | Fees Paid (\$) |
|------------------|--------------|----------|--------------|----------|------------------|----------|----------------|
|                  | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Small Entity     | Fee (\$) |                |
| Utility          | 300          | 150      | 500          | 250      | 200              | 100      |                |
| Design           | 200          | 100      | 100          | 50       | 130              | 65       |                |
| Plant            | 200          | 100      | 300          | 150      | 160              | 80       |                |
| Reissue          | 300          | 150      | 500          | 250      | 600              | 300      |                |
| Provisional      | 200          | 100      | 0            | 0        | 0                | 0        |                |

**2. EXCESS CLAIM FEES**

| Fee Description   | Small Entity        |                 |
|---|---------------------|-----------------|
|   | Fee (\$)            | Fee (\$)        |
| Each claim over 20 (including Reissues)                               | 50                  | 25              |
| Each independent claim over 3 (including Reissues)                    | 200                 | 100             |
| Multiple dependent claims   | 360                 | 180             |
| <b>Total Claims</b>   | <b>Extra Claims</b> | <b>Fee (\$)</b> |
| - 20 or HP = _____ x _____ = _____                                    |                     |                 |
| HP = highest number of total claims paid for, if greater than 20      |                     |                 |
| <b>Indep. Claims</b>  | <b>Extra Claims</b> | <b>Fee (\$)</b> |
| - 3 or HP = _____ x _____ = _____                                     |                     |                 |
| HP = highest number of independent claims paid for, if greater than 3 |                     |                 |

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets  | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|---|--------------|--|----------|---------------|
| - 100 = _____ /50= _____ (round up to a whole number) x _____ = _____ |              |  |          |               |

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): **IDS fees**

**180.00**

**SUBMITTED BY**

|                   |   |   |                         |
|-------------------|---|---|-------------------------|
| Signature         |  | Registration No. 27,607<br>(Attorney/Agent) | Telephone 650-833-2437  |
| Name (Print/Type) | RONALD L. YIN   |   | Date: November 10, 2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



|   |                      |  |
|---|----------------------|--|
| <b>INFORMATION DISCLOSURE<br/>STATEMENT</b> | Applicants:          | Chen, et al.   |
|   | Application No.      | 10/714,243   |
|   | Filed:               | November 13, 2003  |
|   | For:                 | A STACKED GATE MEMORY<br>CELL WITH ERASE TO GATE,<br>ARRAY, AND METHOD OF<br>MANUFACTURING |
|   | Group Art Unit:      | 2818   |
|   | Examiner:            | Dao H. Nguyen  |
|   | Attorney Docket No.: | 351913-992740  |

|  |                                     |   |
|--|-------------------------------------|---|
| Commissioner of Patents and Trademarks<br>P.O. Box 1450<br>Alexandria, VA 22313-1450   |                                     |   |
| Dear Sir:  |                                     |   |
| In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application. |                                     |   |
| This Information Disclosure Statement:   |                                     |   |
| (a)  | <input type="checkbox"/>            | accompanies a new patent application submitted herewith.  |
| (b)  | <input type="checkbox"/>            | is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; OR   |
| (c)  | <input type="checkbox"/>            | after the period defined in (b) but before the mailing date of a Final Rejection or Notice of Allowance, OR   |
| (d)  | <input checked="" type="checkbox"/> | is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below OR   |
| (e)  | <input type="checkbox"/>            | is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.  |
| As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:  |                                     |   |
| (f)  | <input type="checkbox"/>            | Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or   |
| (g)  | <input type="checkbox"/>            | No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement. |

It is respectfully requested that the references shown on the attached Form PTO-1449 be made of record in this application.

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. 07-1896.

Respectfully submitted,

Date: November 10, 2005

DLA PIPER RUDNICK GRAY CARY US LLP

By: Ronald L. Yin  
Reg. No. Ronald L. Yin (Reg. No. 27,607)  
Attorneys for Applicant(s)  
2000 University Avenue  
East Palo Alto, CA 94303-2248  
Tel. No. 650-833-2437

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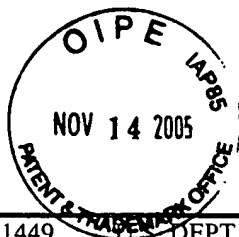
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November 11, 2005  
Date

Juan Pingu  
Signature



|  |                                 |                        |
|--|---------------------------------|------------------------|
| Form PTO-1449<br>U.S. DEPT. OF COMMERCE<br>Patent and Trademark Office<br><br>INFORMATION DISCLOSURE CITATION<br>(Use several sheets if necessary) | Atty. Docket No.: 351913-992740 | Serial No.: 10/714,243 |
|  | Applicants: Chen, et al.        |                        |
|  | Filing Date: November 13, 2003  | Group Art Unit: 2818   |

#### U.S. PATENT DOCUMENTS

| Examiners<br>Initials | Patent Number   | Date    | Name           | Class | Subclass | Filing Date |
|-----------------------|-----------------|---------|----------------|-------|----------|-------------|
|                       | 2002/0056870 A1 | 05-2002 | Lee et al      |       |          |             |
|                       | 2002/0163031 A1 | 11-2002 | Lee et al      |       |          |             |
|                       | 2004/0087084 A1 | 05-2004 | Hsieh          |       |          |             |
|                       | 5,021,999       | 06-1991 | Kohda et al    |       |          |             |
|                       | 5,029,130       | 07-1991 | Yeh            |       |          |             |
|                       | 5,739,567       | 04-1998 | Wong           |       |          |             |
|                       | 5,768,192       | 06-1998 | Eitan          |       |          |             |
|                       | 6,002,152       | 12-1999 | Guterman et al |       |          |             |
|                       | 6,011,725       | 01-2000 | Eitan          |       |          |             |
|                       | 6,093,945       | 07-2000 | Yang, Yu-Hao   |       |          |             |
|                       | 6,103,573       | 08-2000 | Harari et al   |       |          |             |
|                       | 6,151,248       | 11-2000 | Harari et al   |       |          |             |
|                       | 6,281,545       | 08-2001 | Liang et al    |       |          |             |
|                       | 6,329,685       | 12-2001 | Lee            |       |          |             |
|                       | 6,420,231       | 07-2002 | Harari et al   |       |          |             |
|                       | 6,426,896       | 07-2002 | Chen           |       |          |             |
|                       | 6,541,815       | 04-2003 | Mandelman      |       |          |             |
|                       | 6,597,036       | 07-2003 | Lee et al      |       |          |             |

|  |                  |
|--|------------------|
| Examiner:  | Date Considered: |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP '609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |                  |

#### FOREIGN PATENT DOCUMENTS

|  | Document<br>number | Date | Country | Class | Sub-class | Translation |    |
|--|--------------------|------|---------|-------|-----------|-------------|----|
|  |                    |      |         |       |           | YES         | NO |
|  |                    |      |         |       |           |             |    |
|  |                    |      |         |       |           |             |    |
|  |                    |      |         |       |           |             |    |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

|  |   |
|--|---|
|  | IEEE, 2002, entitled "Quantum-well Memory Device (QW/MD) With Extremely Good Charge Retention," Z. Krivokapic, et al. (4 pages) |
|  |   |

|  |                  |
|--|------------------|
| Examiner:  | Date Considered: |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP '609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |                  |